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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,123	08/21/2003	Richard D. Dettinger	ROC920030105US1	7110
46797	7590	10/13/2010	EXAMINER	
IBM CORPORATION, INTELLECTUAL PROPERTY LAW DEPT 917, BLDG. 006-1 3605 HIGHWAY 52 NORTH ROCHESTER, MN 55901-7829			CHOJNACKI, MELLISSA M	
		ART UNIT		PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/645,123	DETTINGER ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	MELLISSA M. CHOJNACKI	2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 July 2010.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-7, 18-21 and 30-35 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-7, 18-21 and 30-35 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____ .

**DETAILED ACTION**

**Remarks**

1. In response to communications filed on July 29, 2010, no new claims have been cancelled; claims 1-7, 18-21 and 30 have been amended, and new claims 31-35 have been added. Therefore, claims 1-6, 18-21 and 30 are presently pending in the application.

***Claim Objections***

2. Claim 31 is objected to because of the following informalities:

Claim 31, discloses the limitation “query component” however, there is insufficient antecedent basis for these limitations in the claim. For the purpose of examination, the examiner is making the assumption that “query component” is suppose to be amended to “query portion”.

Appropriate correction is required.

***Allowable Subject Matter***

3. Claims 33-35 are deemed to contain allowable subject and would be allowed if incorporated into the independent claims or written in independent form. The examiner would also like to caution avoiding Obvious or Statutory double patenting with U.S. Patents Numbers 6,996,558 and 6,954,748. Filing terminal disclaimers could avoid double patenting.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 18-21 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al. (U.S. Patent No. 6,956,593).

As to claim 1, Gupta et al. teaches a method (***See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42***), comprising:

receiving a selection of a portion of a query having a plurality of portions containing fields and query logic (***See column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42***) [Paragraph 21 of the Specification for this application states that the “query portion” can be defined as the entire query which is what Gupta defines];

annotating the selected portion of the query responsive to receiving, via interface (***See column 2, lines 18-22, lines 24-53***); (i) an annotation for the selected portion of the query (***see column 2, lines 24-53***) and (ii) a request to annotate the selected portion of the query (***See column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42***); and

storing, on a storage medium, the annotation with a reference to the selected portion of the query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**).

As to claim 2, Gupta et al. teaches wherein the selected portion of the query comprises one or more query conditions (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**).

As to claim 3, Gupta et al. teaches wherein the selected portion of the query comprises one or more instance values of data, where instance values are any particular value inputted in a field (**See column 7, lines 28-67; column 8, lines 1-13; column 12, lines 39-67; column 13, lines 1-10**).

As to claim 4, Gupta et al. teaches providing an interface for building the query by specifying query portions (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**); and wherein receiving an indication of the selected portion of the query comprises receiving a user selection of one or more query portions specified, via the interface, for use in a query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**).

As to claims 5 and 19, Gupta et al. teaches providing an interface allowing the user to create a suggested substitution for the selected portion of the query, the

suggested substitution being selectable to replace the selected portion of the query  
**(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45;**  
**column 16, lines 19-42);** wherein the operations further comprise providing an interface allowing the user to create a suggested substitution for the selected portion of the query **(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).**

As to claim 6, Gupta et al. teaches wherein storing the annotation with a reference to the one or more portion of the query comprises: decomposing the portion of the query into one or more fragments; and storing the fragments with the annotation  
**(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45;**  
**column 16, lines 19-42).**

As to claims 7 and 20, Gupta et al. teaches wherein storing the annotation with a reference to the one or more portion of the query comprises: substituting a parameter marker for an instance value contained in the query component; and storing the portion of the query with the parameter marker with the annotation **(See column 2, lines 43-47;**  
**column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);** wherein storing the annotation with a reference to the one or more portion of the query comprises: substituting a parameter marker for an instance value contained in the query component; and storing the portion of the query with the parameter marker with the annotation **(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-**

**45; column 16, lines 19-42).**

As to claim 18, Gupta et al. teaches a computer-readable storage medium containing a program which, when executed by a processor (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**), performs operations comprising:

receiving a selection of a portion of a query having a plurality of portions (**See column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**);

annotating the selected portion of the query responsive to receiving, via interface (**See column 2, lines 18-22, lines 24-53**); (i) an annotation for the selected portion of the query (**see column 2, lines 24-53**) and (ii) a request to annotate with the selected portion of the query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**); and

storing, on a storage device, the annotation with a reference to the selected portion of the query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**).

As to claim 21, Gupta et al. teaches wherein the operations further comprise: monitoring one or more query portions specified for use in a query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**);

searching for annotations associated with the one or more query portions (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**); and

providing an indication of one or more annotations, if found, associated with the one or more query portions (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**).

As to claim 30, Gupta et al. a computer implemented method (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**), comprising:

receiving a selection of the a portion of a query having a plurality of portions (**column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**);

providing an interface allowing a user to create an annotation and request to annotate the selected portion of the query with the annotation (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**);

in response to receiving the annotation and the request, annotating the selected portion of the query with the annotation by storing, on a storage medium, the annotation with a reference to the selected portion of the query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**);

monitoring one or more portion of the query specified for use in a query being composed in a query building interface (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**);

searching for stored annotations associated with the one or more portion of the query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**); and

outputting an indication of one or more annotations, if found, associated with the one or more portion of the query (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**).

As to claim 31, Gupta et al. teaches wherein the query comprises a database query (**See column 3, lines 37-49; column 7, lines 5-26, wherein the media that is being query are stored on a database**).

As to claim 32, Gupta et al. teaches wherein the selected portion of the query comprises at least one of a query condition (**See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42**), an instance value in the query condition, a specified result field, and a specified formatting of the result field.

### ***Response to Arguments***

6. Applicant's arguments filed on 28-July -2010, with respect to the rejected claims 1-30 have been fully considered but they are not found to be persuasive:

In response to applicants' arguments regarding "**Gupta does not teach 'annotating the selected portion of the query responsive to receiving an annotation...and a request to annotate the selected portion of the query with the annotation'**," the arguments have been fully considered but are not found to be persuasive, because as argued before Gupta discloses a user interface that allows the user to open up a "query' dialog box" wherein a user can search for annotations as well as "Add new annotations", within that "query' dialog box" (See column 12, lines 39-67; column 13, lines 1-10). The "query portion" as disclosed in paragraph 21 of the specification can be anything from the query itself to the additional fields that can also be selected or filled in, in order to add to the query search, which is disclosed in Gupta (See column 16, lines 31-42). Therefore, the examiner believes that Gupta does in fact disclose annotating the query portion.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is (571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Charles Rones/  
Supervisory Patent Examiner, Art Unit 2164